

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**ENTERED**

June 05, 2020

David J. Bradley, Clerk

PULSE HEALTH SERVICES, *et al.*,  
Plaintiffs,

v.

JP MORGAN CHASE BANK, N.A., *et al.*,  
Defendants.

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CIVIL ACTION NO. 4:20-CV-48

**ORDER**

The Court has before it the Memorandum and Recommendation of the United States Magistrate Judge which recommends the Defendants' Motion to Dismiss (Doc. Nos. 5 and 12) be granted and that the Plaintiffs' Motion to Amend (Doc. No. 18) be denied. It also has the Plaintiffs' objections to that recommendation (Doc. No. 25) and the Defendants' Joint Response to those objections (Doc. No. 26). It considers this matter *de novo*.

The Court finds the Memorandum and Recommendation to be meritorious and therefore adopts it. It hereby overrules the Plaintiffs' objections. It hereby grants the Motion to Dismiss filed by JP Morgan Chase Bank, N.A. (Doc. No. 5) and the Motion to Dismiss filed by Federal Deposit Insurance Corporation (Doc. No. 12). It likewise denies the Plaintiffs' Motion to Amend (Doc. No. 18). Having so ruled, the FDIC's Motion to Strike (Doc. No. 13) is denied as moot.

SIGNED at Houston, Texas this 5<sup>th</sup> day of June, 2020.



Andrew S. Hanen  
United States District Judge